

REMARKS

Claims 1-15 are all the claims pending in the application.

Applicant thanks the Examiner for acknowledging the drawings filed on December 9, 2003.

Additionally, Applicant respectfully request the Examiner to acknowledge the claim for priority under 35 U.S.C. § 119, and receipt of certified copy of the priority document Republic of Korea Application number 10-2003-0011366, submitted December 9, 2003.

Claim Rejection - 35 U.S.C. § 103

Claims 1, 2, 7, 8, and 10-12 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kwong et al. US 6,484,188 B1 (hereinafter “Kwong”) in view of Evans et al. US 6,836,884 BI (hereinafter “Evans”). Applicant traverses these rejections because the cited references fail to teach or suggest all of the claim limitations.

Claim 1 recites *inter alia*, “a first memory unit for maintaining the byte codes loaded by the class loader unit and native codes generated by compiling the byte codes in an accessible state” and “a native code manager unit for searching the native codes stored in the second memory unit and loading requested native codes into the first memory unit according to a request by a class loader unit” that the references cited by the Examiner fails to teach or suggest these elements.

The Examiner admits that Kwong doesn't expressly disclose a first memory unit for maintaining the byte codes loaded by the class loader unit and native codes generated by compiling the byte codes in an accessible state and a second memory unit for storing the native codes that are loaded into the first memory unit in the accessible state. To make up for this deficiency, the Examiner alleges that Evans cures this deficiency by stating that “Evans in an

analogous art and similar configuration discloses first and second memory portions wherein the second memory portion references the first memory portion”. Further, the Examiner states “that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kwong and Evans because, it would enable providing a backup and also more efficiently loading and referencing the native code” (Office Action page 3). However, the Examiner fails to cite in Evans where the above claim 1 feature is taught. Therefore, Applicant respectfully submits that even if this interpretation is accepted, the combination of Kwong and Evans, either alone or in combination, fails to teach or suggest all of the elements in claim 1.

Evans relates to: “**suspending execution of the native code component at a first point**, and allowing a user to edit the source code component to create an edited source code component. The edited source code component is compiled using a source compiler to create an edited intermediate language component, and the edited intermediate language component is compiled using an intermediate language compiler **to create an edited native code** component. The edited native code component is then executed beginning at the point where execution was **previously suspended**” (abstract). Therefore, in Evans, the program is not only being stopped in the middle of its run time that would be using the claim 1 feature of “a native code manager unit for searching the native codes stored in the second memory unit and **loading requested native codes** into the first memory unit according to a **request by a class loader unit**”, the program is actually **changing the native codes** needed to run the program during its run time. Accordingly, Evans teaches away from having the claim 1 feature of “a first memory unit for maintaining the byte codes loaded by the class loader unit and native codes generated by compiling the byte codes in an accessible state” because Evans discloses changing the native code in the middle of

its run time that does not allow the claim 1 feature of the **load [ed] requested native codes** into the first memory unit according to a **request by a class loader unit** to be used as loaded.

Therefore, at least for the above reasons, Applicant respectfully submits that claim 1 is patentable over the applied references and requests the Examiner to withdraw the rejection.

Further, Applicant respectfully submits that rejected claims 2-7 are allowable, at least because of their dependency.

Claim 8 recites limitations similar to those present in independent claim 1 discussed above. Therefore, claim 8 should be patentable over the applied references for the same reasons discussed above with respect to the patentability of claim 1.

Additionally, claims 9-15 should be allowable at least because of their dependency.

Claims 3, 4, and 13 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kwong in view of Evans in further view of Benson. Applicant respectfully traverses this rejection because Benson, either alone or in combination with Kwong and Evans, fails to disclose or suggest all of the claim limitations. Specifically, claims 3, 4, and 13 are allowable at least based on their dependency from claims 1 and 8, because Benson fails to make up for the deficiencies of Kwong and Evans described above.

Claims 5, 6, 9, and 14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kwong in view of Evans and further view of Traversat. Applicant respectfully traverses this rejection because Traversat, either alone or in combination with Kwong and Evans, fails to disclose or suggest all of the claim limitations. Specifically, claims 5, 6, 9, and 14 are allowable at least based on their dependency from claims 1 and 8, because Traversat fails to make up for the deficiencies of Kwong and Evans described above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

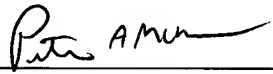
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